

## Message Text

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ACTION EUR-12

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INFO USMISSION USBERLIN  
AMEMBASSY BERLIN  
AMEMBASSY LONDON  
AMEMBASSY MOSCOW  
USMISSION NATO  
AMEMBASSY PARIS

C O N F I D E N T I A L BONN 12099

E.O. 11652: GDS  
TAGS: PGOV, WB, GW, UR, UK, FR, US  
SUBJECT: ACTIVITY OF FEDERAL PROSECUTOR IN BERLIN -  
LORENZ/DRENCKMANN CASE

REFS: (A) STATE 143434; (B) BONN 9745; (C) 76 BONN  
13126; (D) 76 BONN 12111

1. AT JULY 20 BONN GROUP MEETING, FRG REP (HENZE)  
INFORMED US OF THE FOLLOWING CONCERNING THE LORENZ  
KIDNAPPING CASE:

A) THE INDICTMENT WILL BE PRESENTED TO THE BERLIN  
KAMMERGERICHT (TRIAL COURT) ON JULY 25, TOGETHER WITH A  
SUMMARY OF EVIDENC AND COMMENT ON THE INDICTMENT. THE  
KAMMERGERICHT IS EXPECTED TO DECIDE IN AUGUST WHETHER TO  
APPROVE THE INDICTMENT.

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B) THE CHIEF PROSECUTOR AND ALL OTHER PROSECUTING  
ATTORNEYS WHO APPEAR IN COURT WILL BE FROM THE BERLIN  
OFFICE OF THE FEDERAL PROSECUTOR (ANGEHOERIGEN VON DER  
BERLINER DIENSTSTELLE), ALTHOUGH SOME WORK MAY BE DONE  
BY ATTORNEYS FROM THE KARLSRUHE OFFICE. A LETTER FROM  
THE FEDERAL MINISTRY OF JUSTICE IS REPORTEDLY THE SOURCE  
OF THIS INFORMATION.

C) BOTH THE LORENZ AND DRENCKMANN CASES WILL BE CONSOLIDATED INTO A SINGLE TRIAL ON THE BASIS OF A SINGLE INDICTMENT.

D) THE INDICTMENT IS ON THE LETTERHEAD OF THE OFFICE OF THE FEDERAL PROSECUTOR GENERAL IN KARLSRUHE AND IS SIGNED BY KAUL, THE ACTING FRG FEDERAL PROSECUTOR GENERAL.

2. IN A DISCUSSION OF THE CASE, HENZE ASSURED US AGAIN THAT THE FRG WILL COMPLY WITH CONDITIONS SET OUT IN THE ALLIED NON-PAPER OF JULY 16, 1976 (REF D). THOSE CONDITIONS WERE THAT THE FEDERAL PROSECUTOR GENERAL HIMSELF NOT BE PUBLICLY INVOLVED IN THE AFFAIR, THAT THE LEGAL OFFICER IN CHARGE BELONG TO THE BERLIN OFFICE OF THE FEDERAL PROSECUTOR AND THAT THE AFFAIR BE HANDLED WITH PARTICULAR RESERVE AND DISCRETION, ESPECIALLY IN RELATION TO THE PRESS.

3. COMMENT: ASSUMING THAT THE INFORMATION PROVIDED TO THE BONN GROUP IS CORRECT, ESPECIALLY WITH REGARD TO THE STATEMENT THAT THE PROSECUTION WILL BE CONDUCTED BY OFFICIALS FROM BERLIN, IT WOULD APPEAR THAT THE FRG IS MEETING THE CONDITIONS HERETOFORE SPECIFIED BY THE ALLIES. HANDLING THE CASE IN THE MANNER OUTLINED WILL CONFIDENTIAL

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NOT OBVIATE ADDITIONAL SOVIET PROTESTS AS THE CASE UNFOLDS, BUT WE CONTINUE TO BELIEVE THAT IT WOULD NOT BE POSSIBLE TO IMPOSE ANY MORE ONEROUS CONDITIONS WITHOUT EVOKING SERIOUS COMPLAINTS FROM THE FRG THAT THE ALLIES ARE SEEKING TO MODIFY LONG-STANDING JUDICIAL PROCEDURES. STOESEL

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## Message Attributes

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